

UNITED STATES DISTRICT COURT

for the

Western District of Pennsylvania

United States of America

v.

DANIEL LARIVEE

Magistrate No. 23-1669

[UNDER SEAL]

Defendant(s)

CRIMINAL COMPLAINT

BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 2020 through October 2023 in the county of Allegheny in the
Western District of Pennsylvania, the defendant(s) violated:

*Code Section**Offense Description*

(18 U.S.C §§ 2261A(2)(A)
and (B)

Cyberstalking
(July 2020 through October 2023)

(18 U.S.C. § 875(c))

Interstate Threatening Communications (October 26, 2023)

This criminal complaint is based on these facts:

Please see attached Affidavit in Support of Criminal Complaint.

☒ Continued on the attached sheet.

/s/ Lauren Scott

Complainant's signature

Special Agent Lauren Scott

Printed name and title

Sworn and subscribed before me, by telephone pursuant to Fed. R. Crim. P. 4.1(b)(2)(A).

Date: 10/27/2023City and state: Pittsburgh, Pennsylvania*Judge's signature*

Hon. Patricia L. Dodge, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Magistrate No. 23-1669
)	
DANIEL LARIVÉE)	[UNDER SEAL]

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Lauren Scott, being first duly sworn, depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI). I am currently assigned to the Pittsburgh Division of the FBI, Violent Crimes Squad. In this capacity, I am charged with conducting violent crime investigations that violate federal criminal law, which include cyberstalking/harassment, violent crimes against children matters, as well as Hobbs Act and Bank Robberies. I have been so employed since December 2020, have received advanced training, and am experienced in the investigation of violations of federal law, including the offenses discussed below.

2. During the course of my training and experience, I have become familiar with the methods and techniques associated with violent crimes such as bank robberies and have been involved in bank robbery-related arrests and the execution of search warrants which resulted in the seizure of bank robbery evidence. I have also become familiar with methods and techniques involved in cyberstalking/harassment and have conducted such related arrests and legal process in regard to federal violations. In the course of conducting these investigations, I have been involved in the use of the following investigative techniques, among others: interviewing informants and cooperating witnesses, conducting physical surveillance and electronic surveillance, obtaining and reviewing documentary and electronic evidence, and preparing and executing search warrants which have led to seizures of firearms, contraband, and evidence of criminal activity.

3. I am an “Investigative or Law Enforcement Officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7); that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for violations of federal criminal laws.

4. I make this affidavit in support of an application for a criminal complaint charging DANIEL LARIVÉE with Cyberstalking, in violation of 18 U.S.C. §§ 2261A(2)(A) and (B), from in and around July 2020 through in and around October 2023, and a violation of Interstate Threatening Communications, in violation of 18 U.S.C. § 875(c), on or about October 26, 2023.

5. The following allegations are based upon your Affiant’s personal observations, training and experience, along with information obtained from other agents, law enforcement personnel, and witnesses. This affidavit is submitted for the limited purpose of establishing probable cause. Accordingly, it does not include every fact known to me in connection with this investigation.

STATUTORY ALLEGATIONS

6. Title 18, United States Code, Section 2261A(2)(A) and (B), provides that whoever—with the intent to injure, harass, intimidate, and place under surveillance with intent to injure, harass, and intimidate another person—used and caused to be used interactive computer services, electronic communication services, electronic communication systems of interstate commerce, or other facilities of interstate and foreign commerce to engage in a course of conduct that placed the other person in reasonable fear of death and serious bodily injury or that caused, attempted to cause, and would reasonably be expected to cause substantial emotional distress to

the other person, is guilty of cyberstalking.

7. Title 18, United States Code, Section 875(c) criminalizes the interstate transmission of a threat to injure.

PROBABLE CAUSE

8. DANIEL LARIVÉE resided in the Western District of Pennsylvania from on or about 2011 through on or about June 2020. Since June 2020, DANIEL LARIVÉE has resided in Vermont.

9. Person 1 resided in the Western District of Pennsylvania at all times material to this Complaint.

10. Person 1 was married to DANIEL LARIVÉE in 2011. Person 1 and DANIEL LARIVÉE separated in 2020 and their divorce was final in 2022.

11. Person 1 and DANIEL LARIVÉE share a minor child, Child 1.

12. Person 1 also has a minor child from a previous relationship, Child 2.

Background and Protection from Abuse Orders

13. On or about March 2017, Person 1 reported to the police that there had been multiple episodes of violence and verbal abuse from DANIEL LARIVÉE while he was intoxicated and while Child 1 and Child 2 were present.

14. On or about September 2017, Person 1 filed for a Protection from Abuse Order (“PFA”) in Pennsylvania against DANIEL LARIVÉE. That petition was withdrawn prior to the final hearing, but Person 1 reported at that time that DANIEL LARIVÉE had threatened to burn Person 1’s house down, cut Person 1’s brake lines (in her car), beat “the shit out of” Person 1, kill Person 1 and pour lime on her body to disintegrate it, and then tell people that Person 1 had

disappeared and gone to Mexico. Person 1 also reported suffering physical violence at the hands of DANIEL LARIVEE, that DANIEL LARIVEE had caused damage to the family home such as punching holes in walls, and that Child 1 and Child 2 had witnessed the verbal and physical abuse.

15. In and around 2016/2017, DANIEL LARIVEE, in front of Child 1 and Child 2 in several incidents, threatened to kill Person 1 in a fire, threatened to clip the break lines of Person 1's car, and otherwise abused Person 1 in front the children.

16. On or about July 30, 2020, a final PFA was issued by the Court of Common Pleas of Allegheny County, Pennsylvania, with Person 1 as the listed Plaintiff and DANIEL LARIVEE as the listed Defendant. The PFA expired on July 29, 2023.

17. Under the terms of the PFA, it was ordered, among other things, that:

- a. DANIEL LARIVEE "shall not abuse, harass, stalk, threaten, or attempt or threaten to use physical force against" Person 1, Child 1, or Child 2; and
- b. DANIEL LARIVEE "shall not contact" Person 1, Child 1, or Child 2 other than by text to have reasonable and necessary communication regarding custody of Child 1.

18. In connection with the PFA court proceedings, Child 2 submitted a statement requesting that DANIEL LARIVEE not be allowed in the family home because of the abuse, reporting that DANIEL LARIVEE "hurts all of us" (Person 1, Child 1, and Child 2) mentally, verbally, and physically. Child 2 also reported hearing DANIEL LARIVEE threaten to burn the house down and bring a gun into the house. Child 2 reported experiencing substantial emotional distress a result of the actions of DANIEL LARIVEE.

19. After the PFA was issued, DANIEL LARIVEE continually contacted Person 1 and Child 1 in violation of the PFA. Person 1 reported these violations to the police. Person 1 documented that over 600 emails were sent from DANIEL LARIVEE to Person 1 between July 30, 2020 and December 2, 2020, that violated the terms of the PFA.

20. In one email on or about October 12, 2020, DANIEL LARIVEE threatened that physical harm may occur to Person 1 if she visited Vermont: “At least women up here know what your [*sic*] doing, It’s hilarious. There’s like 50 of them that want to beat your ass. Better hide at your sisters when you visit!”

21. On or about October 14, 2020, DANIEL LARIVEE emailed Person 1, “I. Coming after you. And it's the weekend of the 24th. And there’s a ton of family members coming with me! See ya creep!”

22. As a result of the PFA violations, a total of nine Pennsylvania Indirect Criminal Complaint (ICC) warrants were issued against DANIEL LARIVEE. An ICC authorizes the court to fine and jail a PFA defendant whom the court finds he or she has violated the PFA order. DANIEL LARIVEE has never appeared in court regarding these violations, and the violations remain outstanding.

23. On or about December 11, 2020, the Final PFA was amended to restrict communications regarding custody and related issues involving Child 1 to an electronic application called App Close, a coparenting application meant to facilitate healthy communication between parents of minor children. DANIEL LARIVEE and Person 1 agreed to permit the court and counsel to have access to their App Close accounts for monitoring the communications.

The Defendant’s Continuing Cyberstalking Campaign

24. After the PFA was modified in December 2020 to restrict communications to App Close, DANIEL LARIVÉE continued to engage in a course of conduct targeting Person 1.

25. In sum, from in an around July 2020 (when the PFA was issued) through October 26, 2023, DANIEL LARIVÉE sent numerous threatening, intimidating, and harassing communications to Person 1 via email and App Close.

26. For example, on January 3, 2021, DANIEL LARIVÉE emailed Person 1, “your [*sic*] a ducking disgrace to humanity! Something has to be done about it! You wont [*sic*] know when I’m coming to Pittsburgh. I’ve had enough of you!”

27. On or about May 2, 2021, DANIEL LARIVÉE messaged Person 1 on App Close, “Just die. The world would be a better place youblying [*sic*] sac of Pittsburgh std crap!”

28. On or about May 2, 2021, DANIEL LARIVÉE messaged Person 1 on App Close, “Just fucking die.”

29. On or about May 3, 2021, DANIEL LARIVÉE messaged Person 1 on App Close, “Its absolite [*sic*] madness what you are doing to me and my son. Wow. A lot of people are going to want to kill you.”

30. On or about June 5, 2021, DANIEL LARIVÉE emailed Person 1, “I’ve already decided what I’m gonna do. The most dangerous animal is me!!!!!!”

31. On or about June 5, 2021, DANIEL LARIVÉE emailed Person 1, “Your tiny piece of paper isn’t really strong enough you fucking piece of shit cunt!”

32. On or about August 11, 2021, DANIEL LARIVÉE emailed Person 1, “Tou [*sic*] deserve what you’ll get in the end. P.s. it ain’t just me that has a problem with you, Lots of

war veterans do to [sic]. Good luck to you. Might want to get a long range weapon!”

33. On or about August 11, 2021, DANIEL LARIVÉE emailed Person 1, “one way or the other my hand to yours you will end up in the ground like your mother.” Person 1’s mother committed suicide.

34. In or around August 2021, an Apple Air Tag was found glued to the rear passenger door of Person 1’s vehicle.

35. On or about September 26, 2021, DANIEL LARIVÉE emailed Person 1, “If I ever get arrested because of you. Yiu [sic] won’t like the end results but you’ll only know for a minute.”

36. On April 27, 2022, DANIEL LARIVÉE emailed Person 1, “I have your phone number I’ve been sharing it! There lots of men like me across this country who have had it with women like you. Dads rights matter. You are on the list! Haahaha.”

37. On or about April 27, 2022, DANIEL LARIVÉE emailed Person 1, “I love sharing your photos on those cheaters websites. Your [sic] famous! I’ve bet some men have already noticed you.”

38. On or about May 22, 2022, DANIEL LARIVÉE emailed Person 1, “Your scumbag daughter [Child 2] will be swallowing soon. Enjoy being a grandma at a very young age retard.”

39. On or about June 8, 2022, DANIEL LARIVÉE emailed Person 1, “It’s like you have a f***** death wish.”

40. On or about July 2, 2022, DANIEL LARIVÉE emailed Person 1, “Me and my friends are in Pittsburgh this weekend. Hahahahahaha,” and attaching a picture of a devil.

41. On or about July 3, 2022, DANIEL LARIVÉE emailed Person 1, “I sent your lawyer some nice pictures of you. If he doesn’t say anything that would be awkward. Lmfao, yup he has seen all of you. Hahahahaha. I’ve showed everybody nice pictures of you.”

42. On or about September 17, 2022, DANIEL LARIVÉE messaged Person 1 on App Close, “Gfy. Mom’s that fuck dad’s over should die in fires.”

43. On or about September 17, 2022, DANIEL LARIVÉE messaged Person 1 on App Close, “Go fuck yourself. Can’t wait for my free ride down to Pittsburgh. Can’t wait to step foot out the door down there.”

44. On or about January 15, 2023, DANIEL LARIVÉE messaged Person 1 on App Close, “I will have revenge before I die.”

45. On or about January 28, 2023, DANIEL LARIVÉE messaged Person 1 on App Close, “Fuck you. Can’t wait for the day. You deserve no mercy.”

46. On or about January 28, 2023, DANIEL LARIVÉE messaged Person 1 on App Close, “Some of the women around here want to beat your ass . . . I gave them your address. One of there [*sic*] daughters goes to shady side. She doesn’t like you now. Lol.”

47. On or about January 29, 2023, DANIEL LARIVÉE messaged Person 1 on App Close, “you won’t live the rest of your life without paying for it. And that’s a fucking promise!”

48. On or about January 31, 2023, DANIEL LARIVÉE messaged Person 1 on App Close, “I can’t fucking wait till I reach my breaking point. I can’t fucking wait. Your almost there. Keep doing what your doing.”

49. On or about February 27, 2023, DANIEL LARIVÉE messaged Person 1 on

App Close, “Fuck you! There will be repercussions before I die. You WILL lose everything eventually. That’s my fucking promise now!”

50. On or about March 13, 2023, DANIEL LARIVEE messaged Person 1 on App Close, “I seriously can’t wait till you push me over the edge” and “If I lose my child because of you. So will you!”

51. On or about March 27, 2023, DANIEL LARIVEE messaged Person 1 on App Close, “If I spend one day in jail. My life goal will be revenge. And that’s a promise!”

52. On or about March 29, 2023, DANIEL LARIVEE messaged Person 1 on App Close, “Before I die. I will have 100% obtained revenge! Fuck you! And goodbye. Till ya see me!”

53. On or about May 31, 2023, DANIEL LARIVEE messaged Person 1 on App Close, “If I go to jail over your fucking bullshit lies! I will find you and I will kill you! And that’s a promise!” and “if you fuck with my life one more time! I’m coming after you with massive vilolence [*sic*]!”

54. On or about August 23, 2023, DANIEL LARIVEE messaged Person 1 on App Close, “Might wanna drop those disgusting harrasment [*sic*] charges. The last thing you want is me within a 5 mile radius of you.”

55. On or about September 5, 2023, DANIEL LARIVEE messaged Person 1 on App Close that people who are in his position “usually address it with bullets. Your [*sic*] getting close.”

56. On or about October 26, 2023, DANIEL LARIVEE messaged Person 1 approximately 35 times from midnight to 8:00 a.m. on App Close.

57. Among these messages, many of which were lengthy, DANIEL LARIVEE messaged:

- a. “If I spend one day in jail. You will be my goal in life.”
- b. “Better be careful what you wish for. **The dude in Maine had enough of his ex-wife too.**” (emphasis added)
- c. “I like hammers better than guns. I don’t own a gun and never have.”
- d. “I also like acid.”
- e. “Either way, there’s wayside can do things that someday will make you cry. So I’m gonna [go] ahead and start doing these things. I have major health issues anyway. I got maybe 10 years left. I really don’t have anything left to lose. You do tho!”

58. I am aware that, on October 25, 2023, there was a mass shooting in Maine in which multiple people were killed and injured. I am aware that it has been reported in the press that the suspect might have been looking for an ex-girlfriend at the shooting locations—a bowling alley and a bar.

59. The messages described in this Affidavit were sent while DANIEL LARIVEE was in Vermont and Person 1 was in Pennsylvania.

60. I have spoken with Person 1, and she is in fear of death and serious bodily injury and is in substantial emotional distress based on the conduct of DANIEL LARIVEE.

CONCLUSION

61. Based upon the above information, your Affiant submits that there is probable cause to charge DANIEL LARIVEE with Cyberstalking, in violation of 18 U.S.C. §§

2261A(2)(A) and (B), from in and around July 2020 through in and around October 2023, and Interstate Threatening Communications, in violation of 18 U.S.C. § 875(c), related to the threats sent to Person 1 on October 26, 2023.

62. The above information is true and correct to the best of my knowledge, information, and belief.

Respectfully submitted,

/s/ Lauren Scott
LAUREN SCOTT
SPECIAL AGENT, FBI

Sworn and subscribed before me, by telephone pursuant to Fed. R. Cim. P. 4.1(b)(2)(A) this 27th day of October, 2023.



HONORABLE PATRICIA L. DODGE
United States Magistrate Judge